FILED

AUG 14 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JOSE BAUDILO GASTELUM, Defendant.	)	Criminal Case No. 08cr~~8509~~ 2032-JLS STIPULATION AND MOTION FOR RELEASE OF MATERIAL WITNESS BLANCA MORADO-LOPEZ AND ORDER THEREON

IT IS HEREBY STIPULATED AND AGREED between the plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Karen P. Hewitt, United States Attorney, and Charlotte Kaiser, Assistant United States Attorney, and defendant JOSE BAUDILO GASTELUM, by and through his counsel, Attorney Robert Rexrode, that:

1. The deposition of the material witness was completed on August 14, 2008.

2. The material witness was served with a parole letter and subpoena for her appearance at trial on a date to be determined, copies of which were marked as Governments Deposition Exhibits 20 - 24, to said depositions.

3. There are no objections to the release and remand of said witness to the Department of Homeland Security for her return to her country of origin.

4. By signing this stipulation and motion, defendant certifies that defendant has read it (or that it has been read to defendant in defendant's native language). Defendant certifies further that defendant has discussed this stipulation and motion with defense counsel and fully understands its meaning and effect.

Based on the foregoing, the parties herein move for the immediate release and remand of the above-named material witness to the Department of Homeland Security for here return to her country of origin.

It is STIPULATED AND AGREED this date.

KAREN P. HEWITT
United States Attorney

Dated: August 14, 2008.

Charlotte Kaiser
Assistant United States Attorney

Dated: 8/14/08.

Robert Rexrode
Defense Counsel for defendant
JOSE BAUDILO GASTELUM

ORDER

Upon joint application and motion of the parties, and for good cause shown,

IT IS ORDERED that material witness Blanca Morado-Lopez be released and remanded forthwith to the Department of Homeland Security for their return to her country of origin.

Dated: 8/14/08

HONORABLE JANIS L. SAMMARTINO
U. S. DISTRICT COURT JUDGE